

REMARKS

The Applicants and the undersigned thank Examiner Gart for a careful review of this application. Consideration of the present application is respectfully requested in view of the foregoing amendments and the following remarks, which are responsive to the Official Action mailed September 26, 2003.

Claims 1-20 are pending in the present application. The independent claims are 1 and 6, as amended. Applicants have amended Claims 1-10 and have added new Claims 11-20. No new matter has been added.

I. Independent Claim 1 and Dependent Claims 2-5 and 12-20 are Patentable over the Cited Prior Art

The Examiner rejected independent Claim 1 and dependent Claims 2, 3, 4, and 5 based on the assertion that these claims are anticipated by U.S. Patent Publication No. 2002/0052814 to Ketterer. Applicants offer the following remarks to traverse the pending rejections. Applicants have added new Claims 12-20, which also depend from Claim 1, to the claim set.

A. Independent Claim 1 is Distinguishable from Ketterer

Claim 1, as amended, is an independent system claim for an on-line real estate aggregation system. Applicants respectfully submit that amended Claim 1 is not anticipated by the *Ketterer* published patent application because this claim recites features that are neither taught nor suggested by *Ketterer*.

The invention of amended Claim 1 requires a computer coupled to a distributed computing network and operated by a call center agent providing telephonic support for a real estate transaction. *Ketterer* does not disclose an on-line real estate system with a property services server platform and a call center agent that supports the conduct of real estate transactions.

In contrast to involving call center agents in on-line real estate transactions, *Ketterer* teaches a self-service real estate brokerage system, denoted SSREB, that purportedly directly links buyers with sellers to facilitate personal interaction and shared efforts between buyers and

sellers. According to *Ketterer*, such personal interaction and shared efforts, in conjunction with information technology, replicates traditional real estate brokers. See *Ketterer* paragraphs 0011 and 0205.

Although *Ketterer* may disclose various functions for guiding buyers and sellers of real estate through the process of a real estate transaction and may disclose a forum for obtaining complementary services from third parties, the self-service real estate brokerage system described by *Ketterer* provides two sets of user interfaces to accomplish all of these functions—one set of interfaces for the sellers and one set for the prospective buyers. See *Ketterer* Abstract. Unlike this teaching of *Ketterer*, the invention of Claim 1 requires a client computer interfaced to a call center agent, as opposed to a seller or a prospective buyer, and at least one other computer in communication with a property services server platform and operated by a real estate transaction individual.

Another feature that distinguishes Claim 1, as amended, from *Ketterer* is the claim's recitation of a property services server platform that processes a communication from a client computer and data maintained remotely on a distributed computing network. While *Ketterer* may teach accessing data over a network, *Ketterer* does not disclose a server platform processing a communication and data that is maintained at a remote data source. According to *Ketterer*, users of the self service real estate brokerage system of *Ketterer* go off-line for processing data as this system is limited to providing guidelines for interpreting acquired data. See *Ketterer* paragraph 0166.

The recitation of a server-based real estate information processing tool that processes financial information related to a real estate transaction is another feature of amended Claim 1 that distinguishes this claim from *Ketterer*. *Ketterer* does not teach processing financial information at a server but rather discloses providing raw financial data such as asking price and tax bills. See *Ketterer* paragraphs 0114-0138.

As yet another feature that distinguishes amended Claim 1 from *Ketterer*, this claim recites a server-based research module that compiles research information into summaries and conducts business analysis. *Ketterer* does not teach compiling research information into a summary at a server or conducting business analysis at a server. In contrast to Claim 1, *Ketterer*

discloses accessing information from databases, rather than condensing information into a summary or remotely analyzing information related to a real estate transaction. See Ketterer paragraph 0022.

B. Amended Dependent Claims 2, 3, 4, and 5 are Distinguishable from Ketterer

Claims 2, 3, 4, and 5 depend from Claim 1 and, therefore, incorporate the limitations of Claim 1. In view of the above-described distinctions between Claim 1 and the prior art cited by the Examiner, Applicants respectfully submit that dependent Claims 2, 3, 4, and 5 are patentable over *Ketterer*. Furthermore, Claims 2, 3, 4, and 5, as amended, recite features further distinguishing the inventions of each of these claims from *Ketterer*.

In addition to the recitations of Claim 1, the invention of amended Claim 2 requires an on-line real estate system comprising a call center, coupled to a telephony network and a distributed computer network, which makes an agent assignment based on real estate experience. *Ketterer* neither discloses nor suggests a call center that assigns agents based on real estate experience. In contrast to the recited call center, *Ketterer* teaches a self-service real estate brokerage system that eliminates perceived and real reasons for using human real estate brokers to facilitate real estate transactions. Furthermore, *Ketterer* teaches buyer- and seller-executed processes for direct access to goods and services, such as title insurance, legal information, and home inspection, that are complementary to a real estate transaction. See Ketterer paragraph 0012. *Ketterer* does not teach telephonic communications with a call center agent and does not disclose a telephony network for supporting all call center communications. In contrast to a call center coupled to a computer network and a telephony network, as recited by Claim 2, *Ketterer* teaches providing broker functions over a communication and knowledge management network, such as the Internet. See Ketterer Abstract.

Claim 3, as amended, depends from Claim 2, thereby incorporating the recitations of Claims 1 and 2, and further recites a call center comprising a customer service agent and a deal agent. A deal agent can work on behalf of a user to support the completion of a property-related transaction, such as leasing, financing, and buy-sell exchanges, while a customer service agent can provide basic customer services. *Ketterer* does not disclose a call center comprising a

service agent and a deal agent. In contrast to a call center having a staff that includes a deal agent who can support financing, as recited by Claim 3, *Ketterer* teaches a self-service real estate brokerage system that directly links a prospective buyer to one or more on-line mortgage brokerage services. See *Ketterer* paragraph 0192.

Amended Claim 4, which depends from Claim 1, recites a property services server platform that provides a payback calculation to one of the client computers of a distributed computer network. The self-service real estate brokerage system disclosed by *Ketterer* does not deliver a payback calculation. Rather than providing payback calculations, the system described by *Ketterer* attempts to replicate human real estate brokerage functions such as producing credit reports and coordinating appointments to show real estate properties. See *Ketterer* Table 1.

The invention of amended Claim 5, which also depends from Claim 1, requires a server-based information processing tool that receives actual and projected revenue and expenses of a property from a client computer via the distributed computer network and provides a property valuation (based on this financial information) to the client computer. *Ketterer* does not disclose receiving financial information from a client computer, nor does this publication disclose providing a property valuation based on such a financial projection. In contrast to generating a valuation at a server, as defined by Claim 5, *Ketterer* teaches directly linking sellers and prospective buyers with third parties, such as home appraisers, that provide services related to real estate transactions. See *Ketterer* paragraphs 0205, 0212, and 0224.

C. New Dependent Claims 12-20 are Distinguishable from *Ketterer*

New Claim 12 depends from amended Claim 4, which in turn depends from amended Claim 1, thereby incorporating the limitations of Claims 1 and 4. The invention of Claim 12 requires an on-line real estate aggregation system with a server platform hosting a real estate information processing tool that comprises a lease improvement calculator, a direct capitalization calculator, or a refinancing calculator. In contrast to providing a remote calculating capability for generating the specific recited real estate calculations, *Ketterer* teaches providing real estate data so buyers or sellers can evaluate and process real estate options as an off-line process. See *Ketterer* paragraph 0143.

The invention of new Claim 13, which depends from Claim 1, requires a server-based processing tool that receives a financial projection from a client computer, generates a real estate valuation based on this projection, and sends the valuation to the client computer. The invention of Claim 14, which is dependent on Claim 13, additionally requires the operation of this client computer by a buyer or a seller and an operability for sending this real estate valuation to a lender. Although *Ketterer* apparently teaches providing a buyer or seller with access to lender services, this publication does not teach providing lenders with property valuations that are remotely computed based on seller or buyer projections, as required by Claims 13 and 14. See *Ketterer* paragraph 0020.

New dependent Claim 15 recites a server-based information processing tool comprising a lease improvement calculator that receives a building improvement scenario from a client computer, calculates a profit based on this scenario, and returns the calculated profit to this client computer. New Claim 16 depends from Claim 15 and further recites that the lease improvement calculator calculates a rent increase based on the building improvement scenario and a profit based on this rent increase. In contrast to Claims 15 and 16, *Ketterer* does not teach remotely calculating rent increases or profits based on user-input scenarios. Rather, *Ketterer* teaches static tables that list data regarding search criteria and candidate properties and that facilitate buyers reviewing tabulated data via an off-line process. See *Ketterer* paragraphs 0141, 0142, and 0143.

New Claim 17 depends from Claim 1 and requires a server platform comprising an information processing tool that calculates a capitalization rate for a property. *Ketterer* does not disclose providing remote calculations of a capitalization rate for a property, as defined by Claim 17. In contrast to the invention of Claim 17, *Ketterer* teaches providing a property's pictures, physical attributes, and limited, raw financial data such as asking price and tax bills. See *Ketterer* paragraphs 0108 – 0138.

New Claim 18 depends from amended Claim 1 and recites a cash flow calculation tool, hosted on a server platform and accessible via the distributed computer network, operative to calculate cash flow related to a real estate transaction. New Claim 19 is dependent on Claim 18 and further recites that this cash flow tool comprises a mortgage and amortization calculator and an affordability calculator, both of which provide financial calculations related to a real estate

loan. New Claim 20, which is dependent on Claims 19, 18, and 1, further requires that the mortgage and amortization calculator is operative to calculate principal and interest payments for a fixed real estate loan. Claims 18, 19, and 20 are individually distinguished from *Ketterer* by the respective recitations in these three claims. *Ketterer* does not teach a server platform that hosts a cash flow calculation tool, a mortgage and amortization calculator, or an affordability calculator. In contrast to providing server-based tools and calculators that calculate real estate financial information, *Ketterer* discloses a system that, according to *Ketterer's* disclosure, provides a web portal for linking to service provider web pages and for linking to databases. See *Ketterer* paragraphs 0020 and 0022. While *Ketterer* teaches providing connectivity to data and service providers, the inventions of Claims 18, 19, and 20 require a server-based calculation tool that is accessible via a distributed computer network.

II. Independent Claim 6 and Dependent Claims 7-11 are Patentable over the Cited Prior Art

The Examiner rejected independent Claim 6 and Claims 7, 8, 9, and 10, which depend from Claim 6, based on the assertion that these claims are anticipated by *Ketterer*. Applicants offer the following remarks to traverse the pending rejections. Applicants have added new Claim 11, which also depends from Claim 6, to the claim set.

A. Independent Claim 6 is Distinguishable from *Ketterer*

Claim 6, as amended, is an independent method claim for aggregating real estate information in a distributed computing environment. Applicants respectfully submit that Claim 6, as amended, is not anticipated by *Ketterer* because the invention of Claim 6 requires steps that are neither disclosed nor suggested by *Ketterer*.

Amended Claim 6 recites providing a real estate information processing tool for receiving financial information for a real estate transaction, processing this information to generate derived financial information, and transmitting the derived information to a computer via a distributed computing environment. This tool is hosted at a server platform that is accessible in a distributed computing environment. Claim 6 is patentable over *Ketterer* because *Ketterer* neither discloses

nor suggests a real estate information processing tool that is accessible via a distributed computing environment. Furthermore, *Ketterer* does not teach receiving financial information at a server, generating derived financial information at the server, and transmitting the derived financial information in a distributed computing environment.

In contrast to providing a user with a tool for remotely processing real estate information, as defined by amended Claim 6, the self-service real estate brokerage system disclosed by *Ketterer* provides users with checklists and purchasing guidelines on demand. See *Ketterer* paragraph 0186. Furthermore, rather than generating derived financial information at a server platform, *Ketterer* teaches providing a link to third-party providers such as home inspectors, banks, landscapers, and mortgage lenders who may provide services complementary to a real estate transaction. See *Ketterer* paragraphs 0205 - 0222.

In summary, *Ketterer* fails to disclose the combination of a real estate information processing tool with a (a) credit reports module, (b) news and analysis module, (c) order available reports module and (d) research markets module, as expressly recited by amended Claim 6.

B. Currently Amended Dependent Claims 7, 8, 9, and 10 are Distinguishable from *Ketterer*

In view of the foregoing remarks with respect to independent Claim 6, as amended, Applicants respectfully submit that dependent Claims 7, 8, 9, and 10 are patentable over *Ketterer*. These amended dependent claims also recite features, which are discussed below, further defining the invention over the cited references, and Applicants submit that the cited document does not disclose or suggest integrating those features into the presently claimed invention. Accordingly, Applicants request separate and individual consideration of dependent Claims 7, 8, 9, and 10 and respectfully request that the Examiner withdraw the rejection of dependent Claims 7, 8, 9, and 10.

In conjunction with the recitations of Claim 6, the invention of amended Claim 7 requires an operability to receive financial information for a real estate transaction with the information processing tool, process this information and derive a real estate valuation, and transmit this

valuation over a distributed computing environment to a lender. Claim 7 is patentable over *Ketterer* because this reference does not teach, disclose, or suggest deriving real estate information with a server-based processing tool based on real estate information received in a distributed computing environment. Furthermore *Ketterer* does not disclose transmitting a derived real estate valuation from a server-based processing tool to a lender.

In contrast to remotely processing financial real estate information and providing the resulting real estate valuation to a lender, as recited by amended Claim 7, *Ketterer* teaches directly linking a prospective buyer to a lender so the lender can perform tasks associated with a real estate transaction. See *Ketterer* paragraphs 0205, 0209, and 0224. Furthermore, *Ketterer* discloses providing sellers and buyers with unprocessed data, rather than derived valuation information, based on buyer or seller input. See *Ketterer* paragraph 0012.

Amended Claim 8 depends from dependent Claim 7 and recites a server-based tool that is operative to receive projected revenue and expenses for a real estate transaction from a computer in a distributed computing environment to support the generation of derived financial information. *Ketterer* does not disclose a processing tool that is accessible via a distributed computer environment and that derives real estate transaction information based on projected revenue and expenses. Instead, *Ketterer* provides sellers and buyers with data and access to public databases so these sellers and buyers can personally conduct research into real estate market conditions. See *Ketterer* paragraph 0022.

Amended Claim 9 recites a step of providing a call center, which is staffed with agents, that provides real estate customer service via telephony communications. In contrast to providing telephony-based customer service via a call center, *Ketterer* discloses a self-service real estate brokerage system (SSREB) that uses information technology and personal interaction between buyers and sellers to replicate human-based real estate brokerage functions. See *Ketterer* paragraph 0011. Rather than involving call center agents via telephony communications in a real estate transaction, *Ketterer* teaches serving buyers and sellers by providing direct electronic links (portals) to the Internet web pages of service providers. See *Ketterer* paragraph 0020. Since *Ketterer* discloses neither call centers nor telephony communications, Claim 9, as amended, is distinguishable from the cited reference.

The invention of amended Claim 10, which also depends from Claim 6, requires a server-based operability for: receiving financial information; generating a payback calculation, an improvement calculation, a direct capitalization calculation, a refinancing calculation, or a cash flow calculation in response to processing financial information; and transmitting such calculation to a computer via a distributed computing environment. *Ketterer* provides no disclosure or suggestion of generating financial calculations at a server. In contrast to generating derived financial calculations that may be useful to a party involved in a real estate transaction, as recited by Claim 10, *Ketterer* discloses providing sellers with access to credit report data regarding potential buyers and to guidelines for interpreting the credit report data. The self-service real estate brokerage system of *Ketterer* does not enable online decision-making processes or further processing of credit report data. See *Ketterer* paragraph 0166.

C. New Dependent Claim 11 is Distinguishable from *Ketterer*

New Claim 11 depends from amended Claim 9, which depends from amended independent Claim 6, and thereby incorporates the limitations of Claims 6 and 9. The invention of Claim 11 requires a call center that assigns an agent to support a real estate transaction based on relevant real estate experience. *Ketterer* fails to disclose a call center or assigning a call center agent based on the relevant real estate experience level of the agent. Instead, *Ketterer* discloses providing fixed guidelines to support processes that are not otherwise enabled by the self service real estate brokerage system. See *Ketterer* paragraph 0166.

III. Applicants Request Continued Examination Based on Informal Drawings and Submits Proposed Drawings Changes, in Marked-up Form, as Appendix A

The Examiner indicated that the present patent application contained informal drawings, which are acceptable for examination purposes only, and noted improper shading that may affect reproduction clarity. The Examiner also stated that Applicants are required to promptly submit drawings corrections. Applicants respectfully request for the Examiner to continue examining the patent application based on the submitted drawings, which may be unsuitable for reproduction, but are nonetheless legible and clear for examination purposes.

Responsive to the Examiner's request for corrected drawings, Applicants submit proposed changes to the drawings with red markup as Appendix A, attached hereto. If the proposed changes are acceptable to the Examiner, Applicants will submit new, formal drawings based on these changes. Applicants respectfully request delaying the submission of such new drawings until the patent application is in condition for allowance.

CONCLUSION

The foregoing is submitted as a full and complete response to the Official Action mailed September 26, 2003. Applicants thank Examiner Gart for his consideration of the amendments and remarks presented by this paper. Applicants have shown that the pending claims are allowable and allowance of the claims is respectfully requested. It is believed that this response places the application in condition for allowance. Such action is courteously requested. If there are any issues that can be resolved with an Examiner's Amendment or a telephone conference, a telephone call to the undersigned attorney at 404.572.2888 is respectfully requested.

Respectfully submitted,



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K&S Docket: 21300.105006

3443073 v2



Appendix A

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ANNOTATED MARKED-UP DRAWINGS SHOWING PROPOSED REVISIONS



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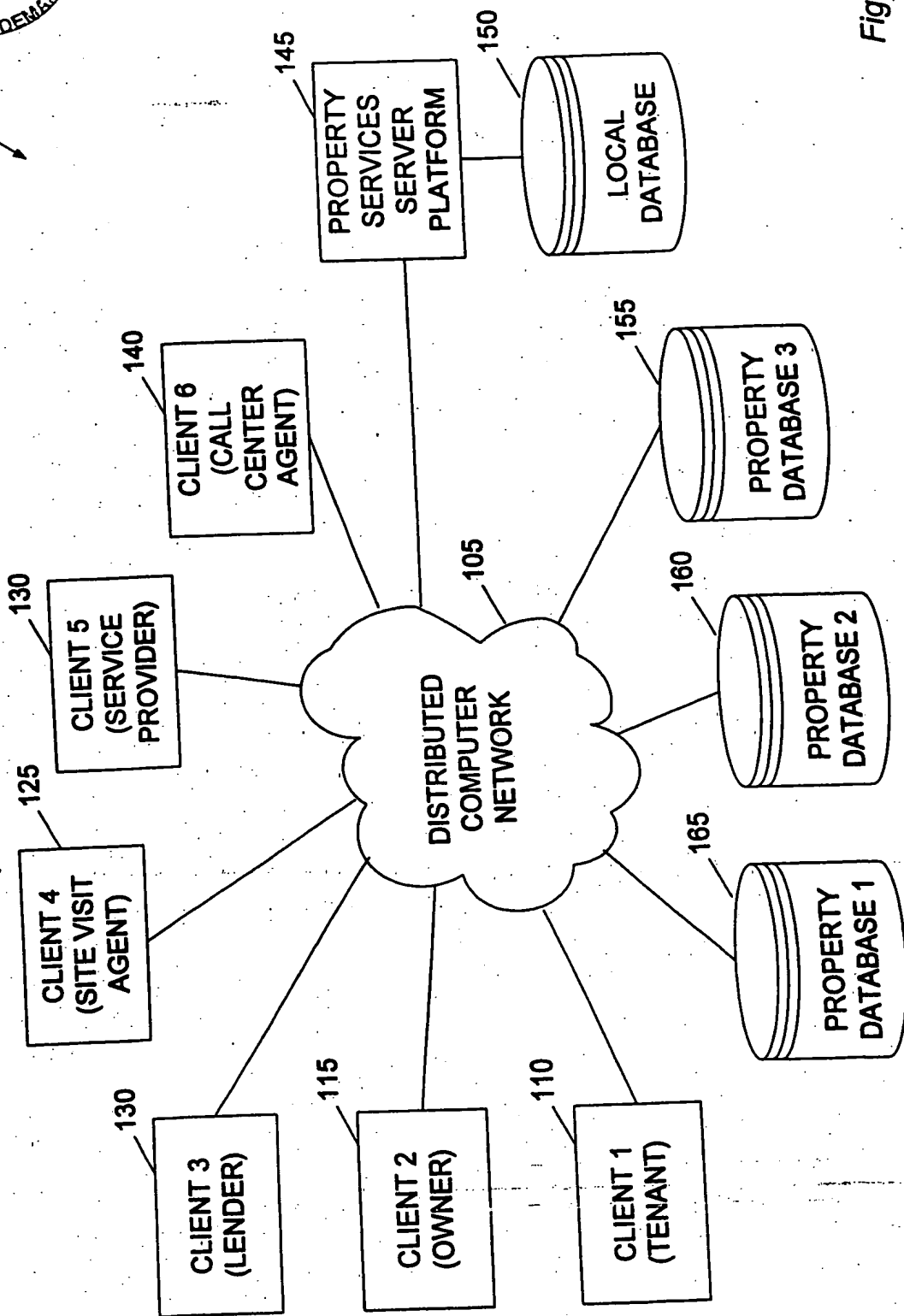


Fig. 1

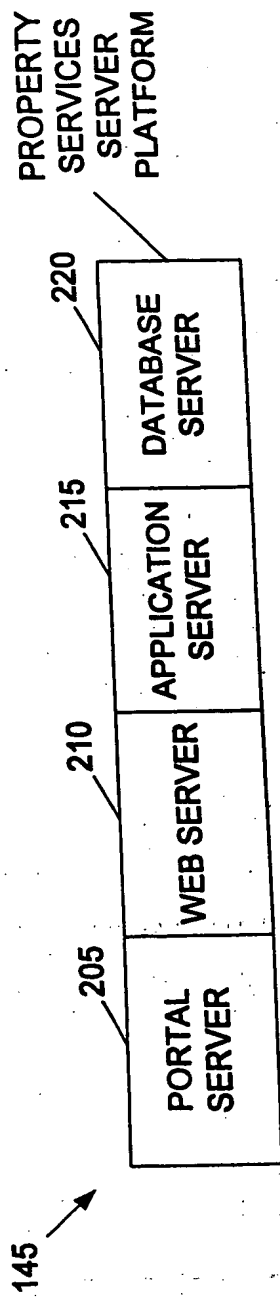


Fig. 2

Research Section Site Navigation

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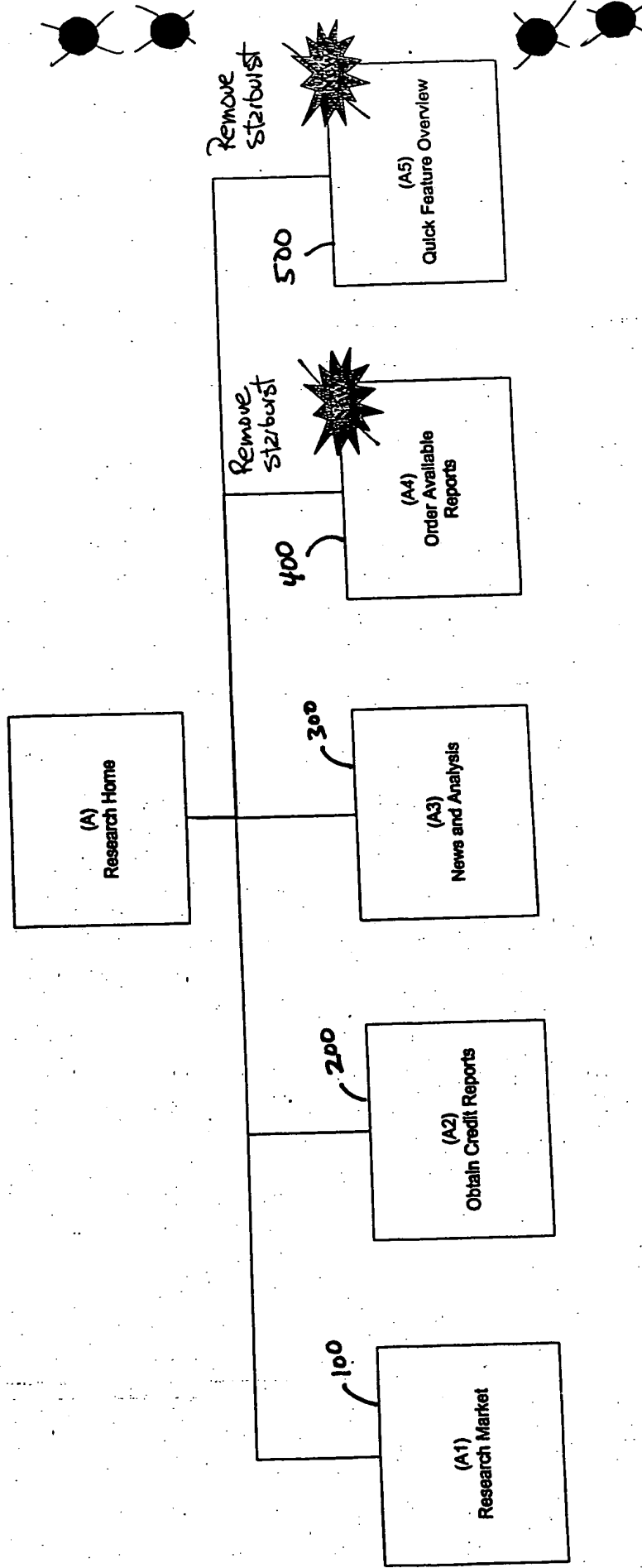


Fig. 3a

Remove stray mark

Remove Shading

Remove starburst, three times

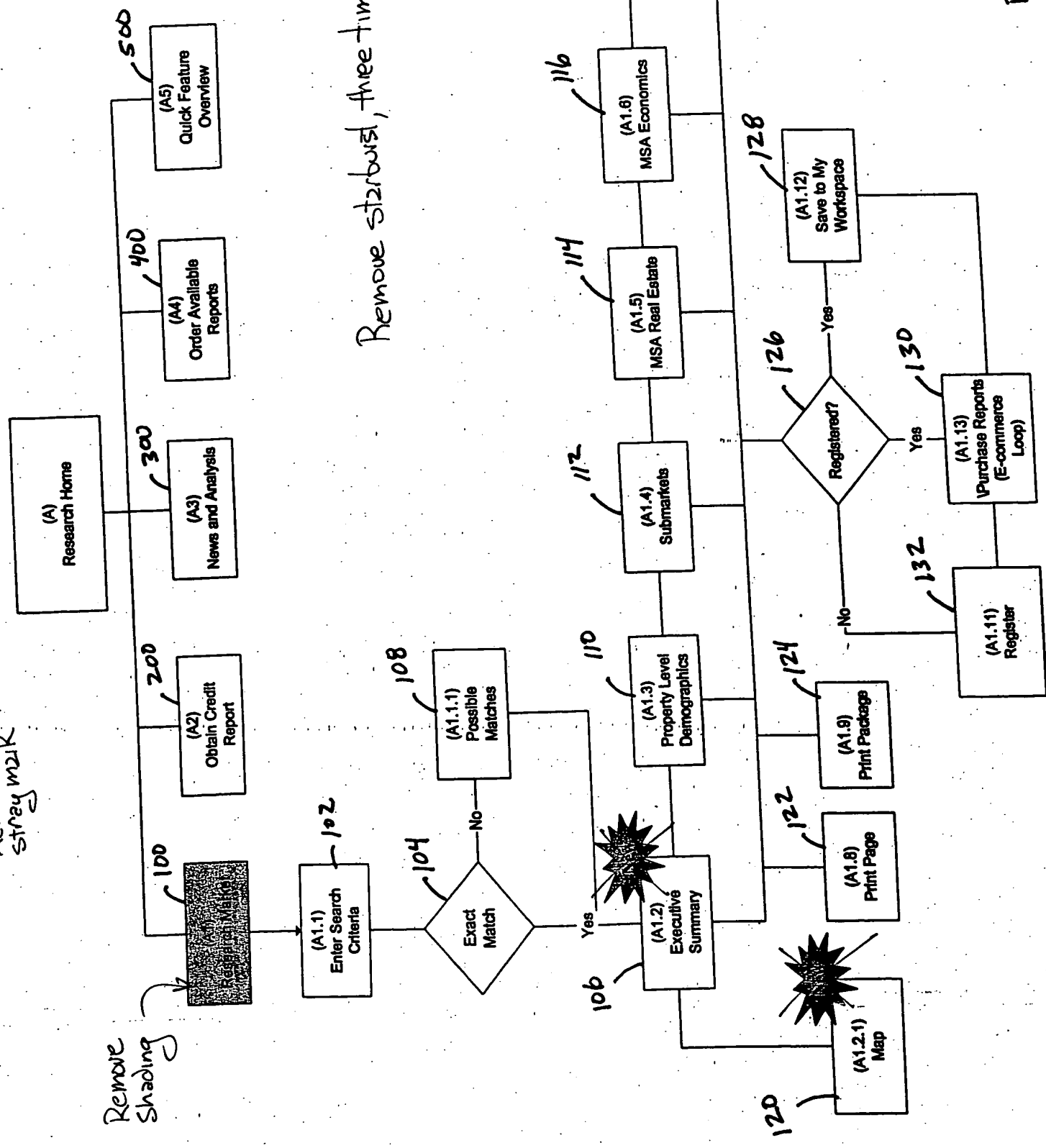
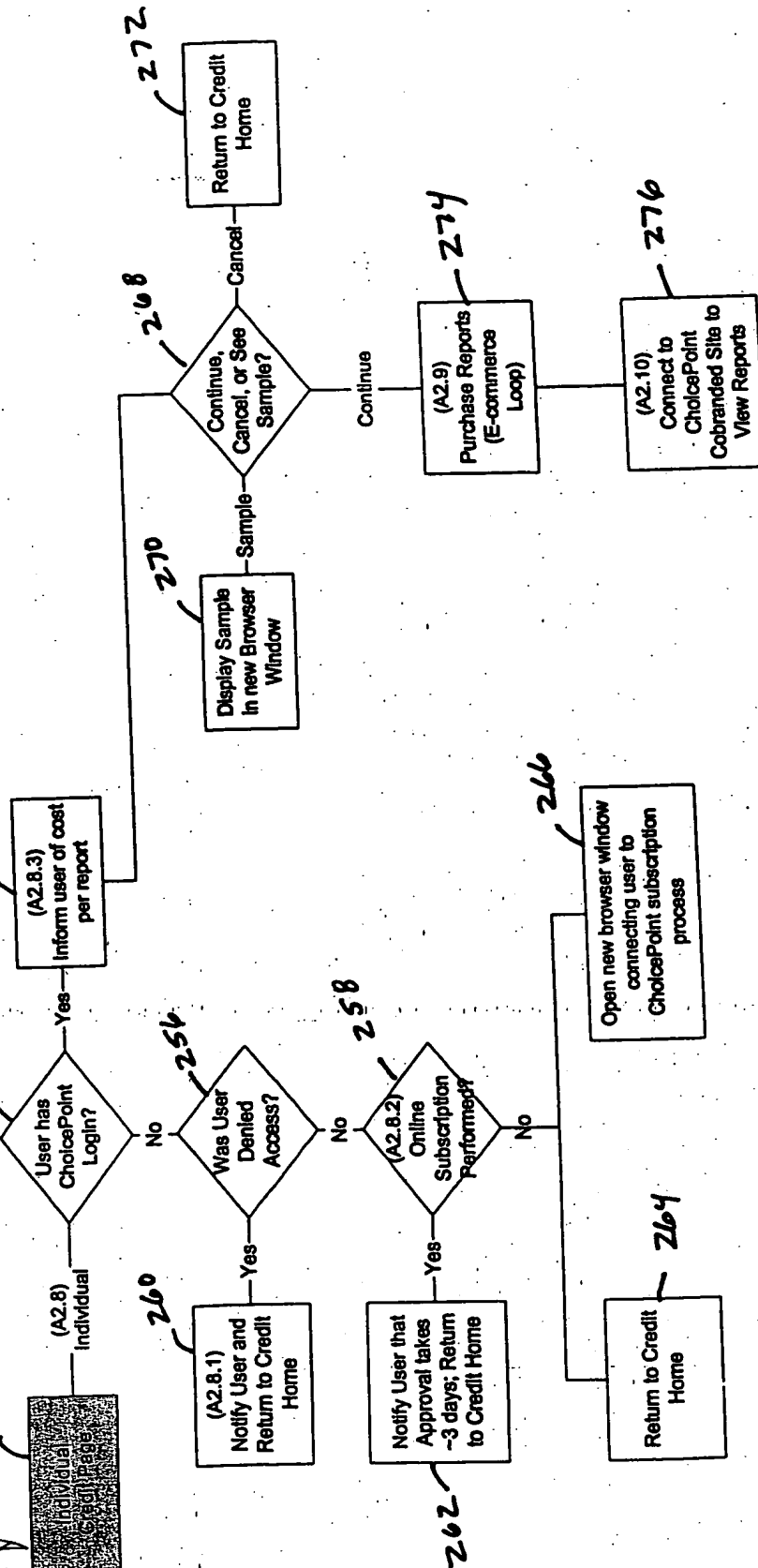


Fig. 3b

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News and Analysis

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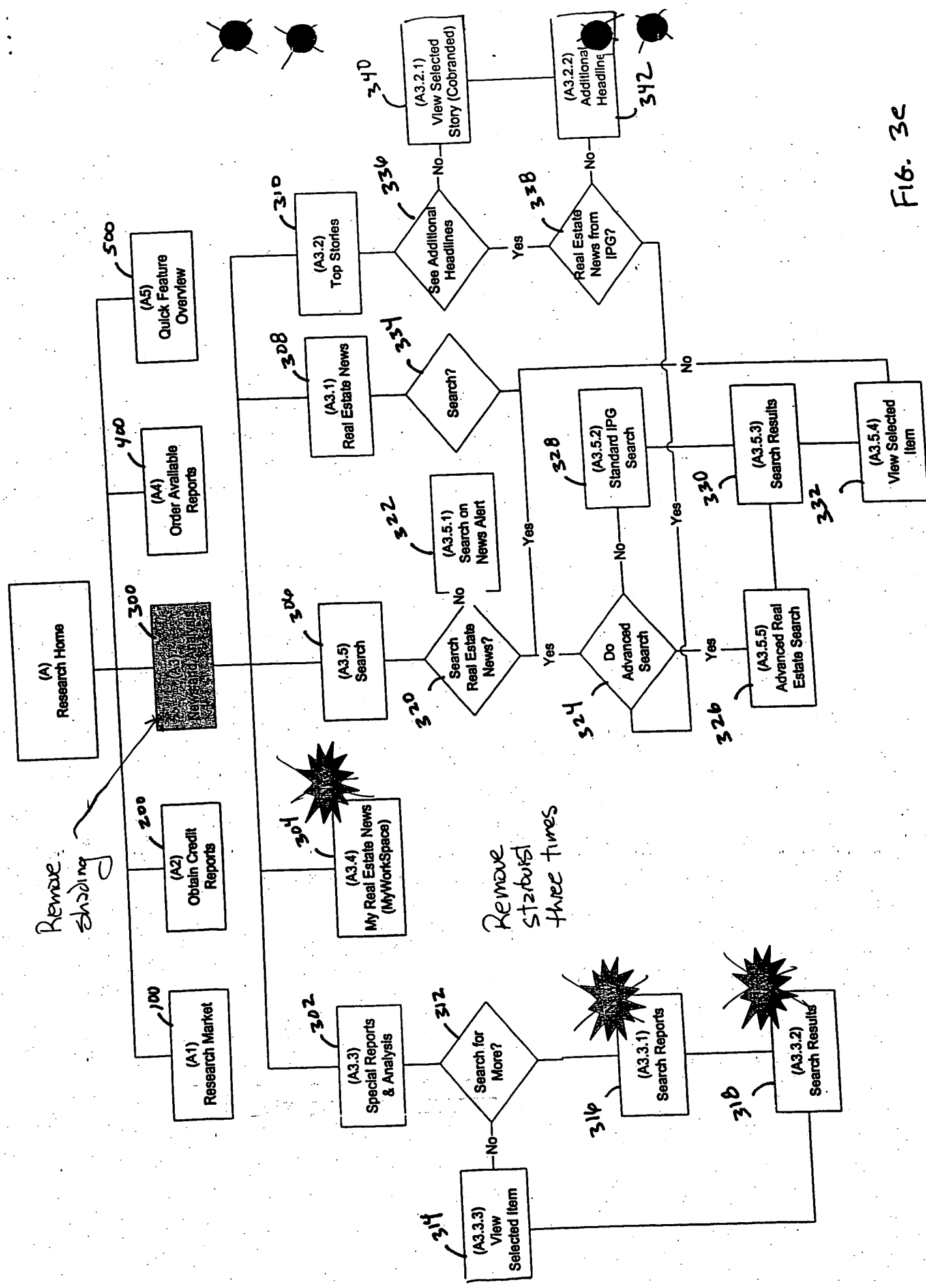


Fig. 3c

Order Available Reports *Remove heading*

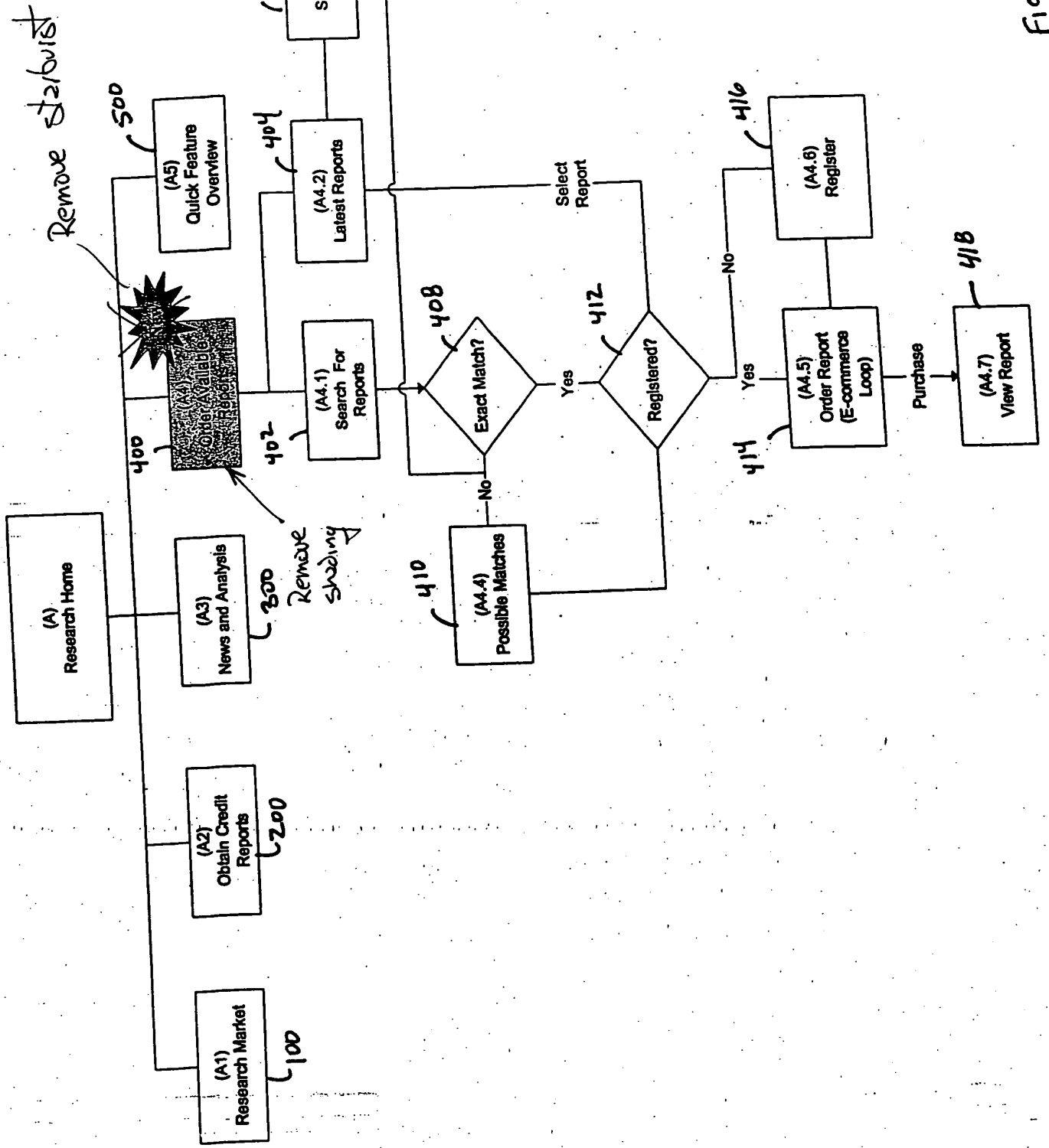


Fig. 3f

Quick Feature Overview

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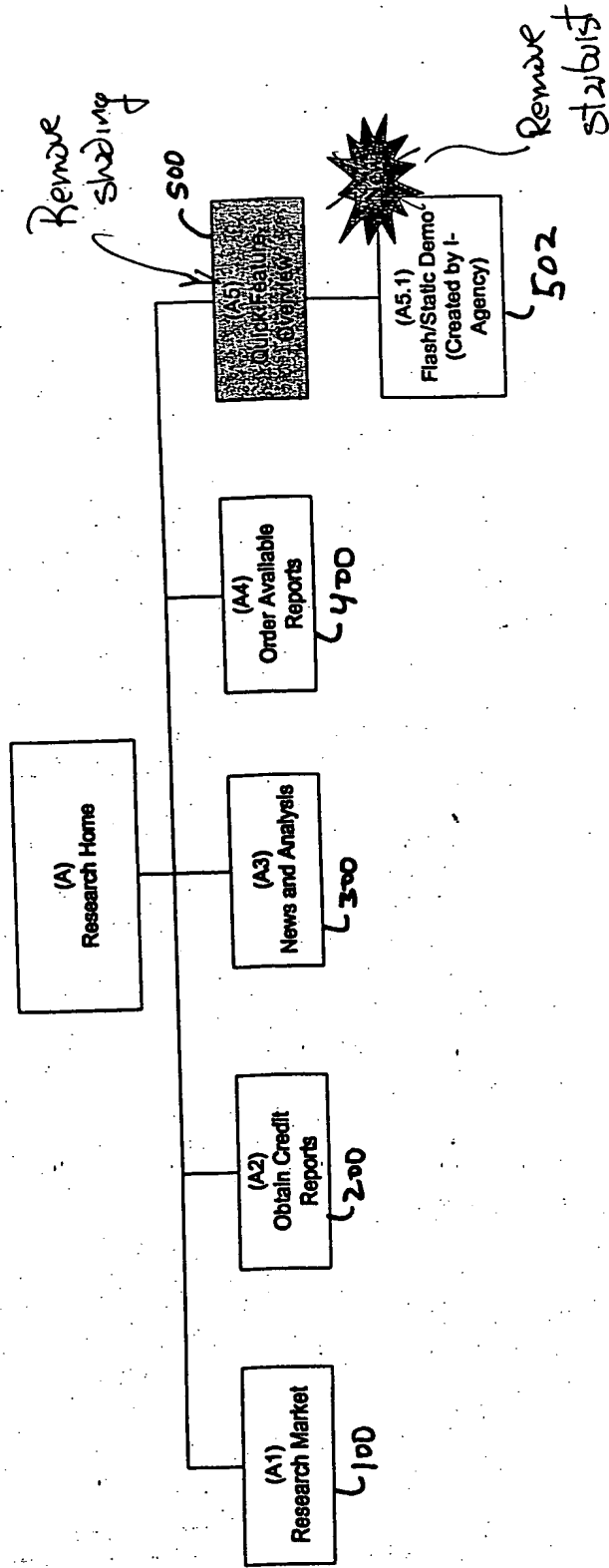
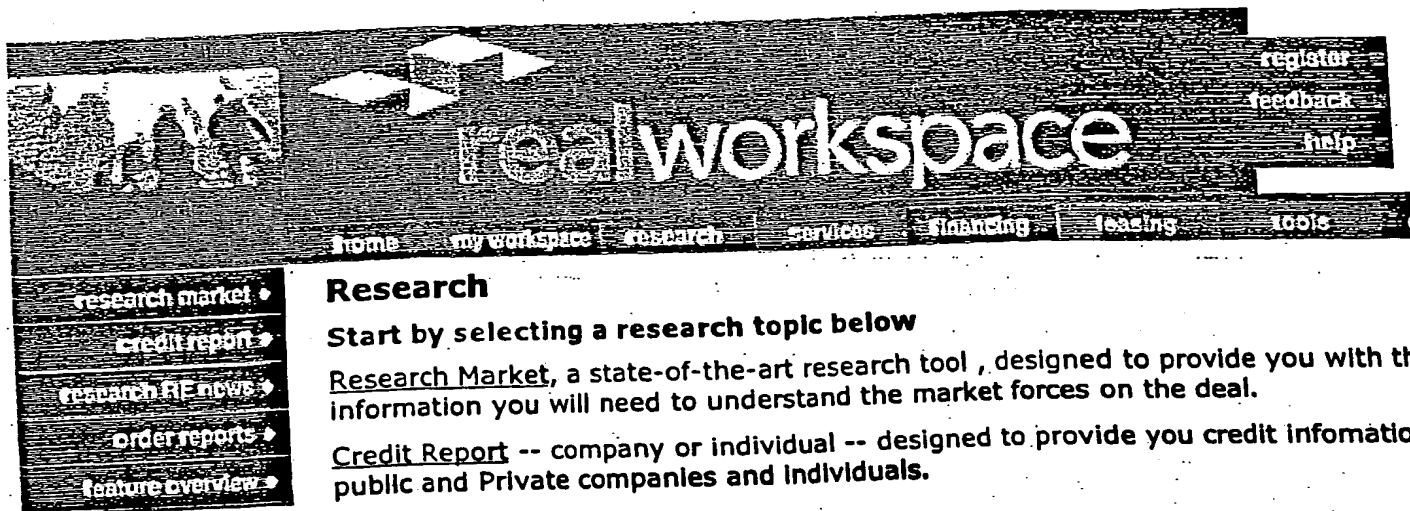


FIG. 39



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FIG 4a

realworkspace

Home | My Workspace | Research | Services | Financing | Leasing | Tools

Research Market

Search Criteria

Property Name:

Property Address:

*Property City:

*Property State:

Property Zip Code:

*Property Type:

*=required fields

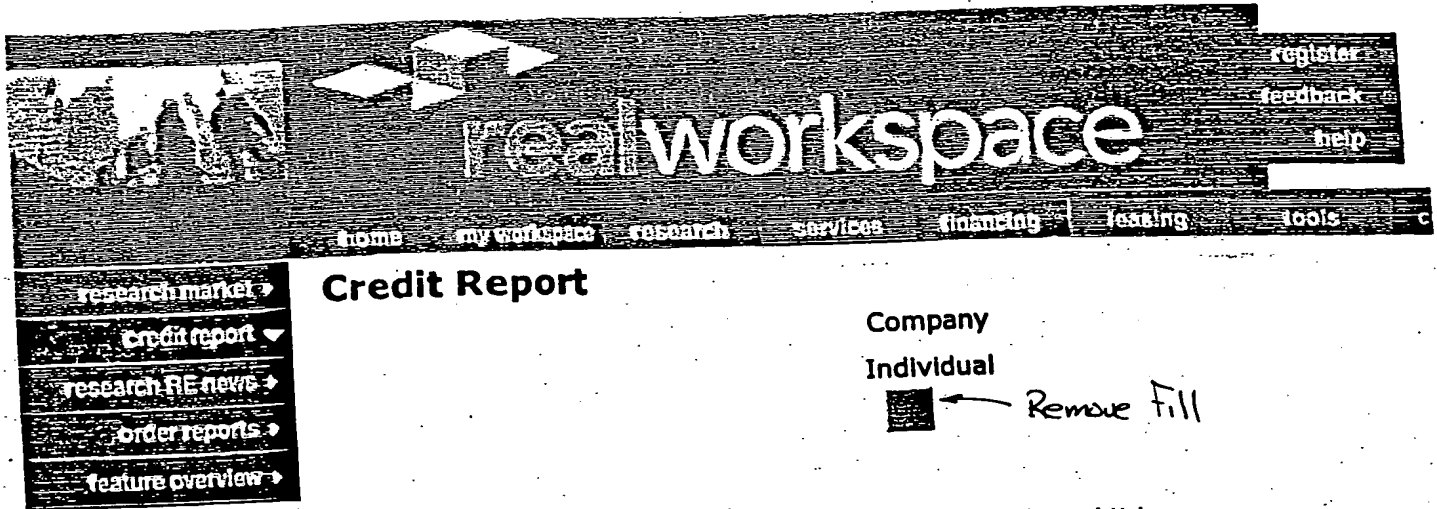
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Fig 4c

~~http://www.testrws.com/research/research_credit_report_index_g1.html~~

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home my workspace research services financing leasing tools

research market
credit report
research REnews
order reports
feature overview

Order Reports

List of most recent reports added to systems

- [Report 1 \(See Sample\)](#)
- [Report 2 \(See Sample\)](#)
- [Report 3 \(See Sample\)](#)

User can Sort Reports by:
Name, Description, Page Number, Price

Search all Reports

search

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Fig 4d

~~http://www.testws.com/research/research_order_reports_g1.html~~

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~~realworkspace~~

Page 1 of 2
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The screenshot shows the realworkspace website. The header includes the logo and navigation links: Home, my workspace, research, services, financing, leasing, and tools. On the right, there are links for register, feedback, and help. A left sidebar contains a menu with items like research market, credit report, research RE news, my news, news, search, reports & analysis, top stories, order reports, and feature overview. The main content area is titled 'Real Estate News' and contains a list of links: 'Check your customized news at My News', 'You can go to the News section for the latest Real Estate News', 'Or Search for the news you want to read', 'You can browse Real Estate news articles at Special Reports and Analysis', and 'You can even read Top Stories'. At the bottom of the main content area, there are links for Privacy Policy, Terms and Conditions, and Help.

realworkspace

Home my workspace research services financing leasing tools

research market
credit report
research RE news
my news
news
search
reports & analysis
top stories
order reports
feature overview

Real Estate News

- ▶ Check your customized news at My News
- ▶ You can go to the News section for the latest Real Estate News
- ▶ Or Search for the news you want to read
- ▶ You can browse Real Estate news articles at Special Reports and Analysis
- ▶ You can even read Top Stories

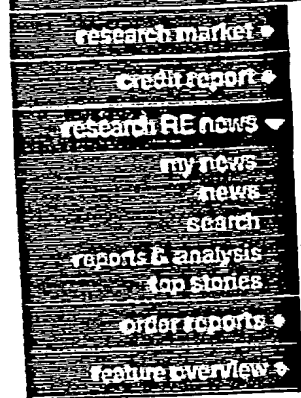
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Fig 4e

~~http://www.testws.com/research/research_news_home_g1.html~~



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Research RE News

List of Categorized Real Estate News Articles

Office News

- USDA Illinois direct midsession hogs
- USDA Indiana-Ohio direct flash hogs
- Adorno & Zeder, P.A. Re-Launches Web Site
- U.S. Wireless Data Hires Three Key Executives
- Saudi Arabia's increase in oil output should lead to lower gas prices

Northeast Regional News

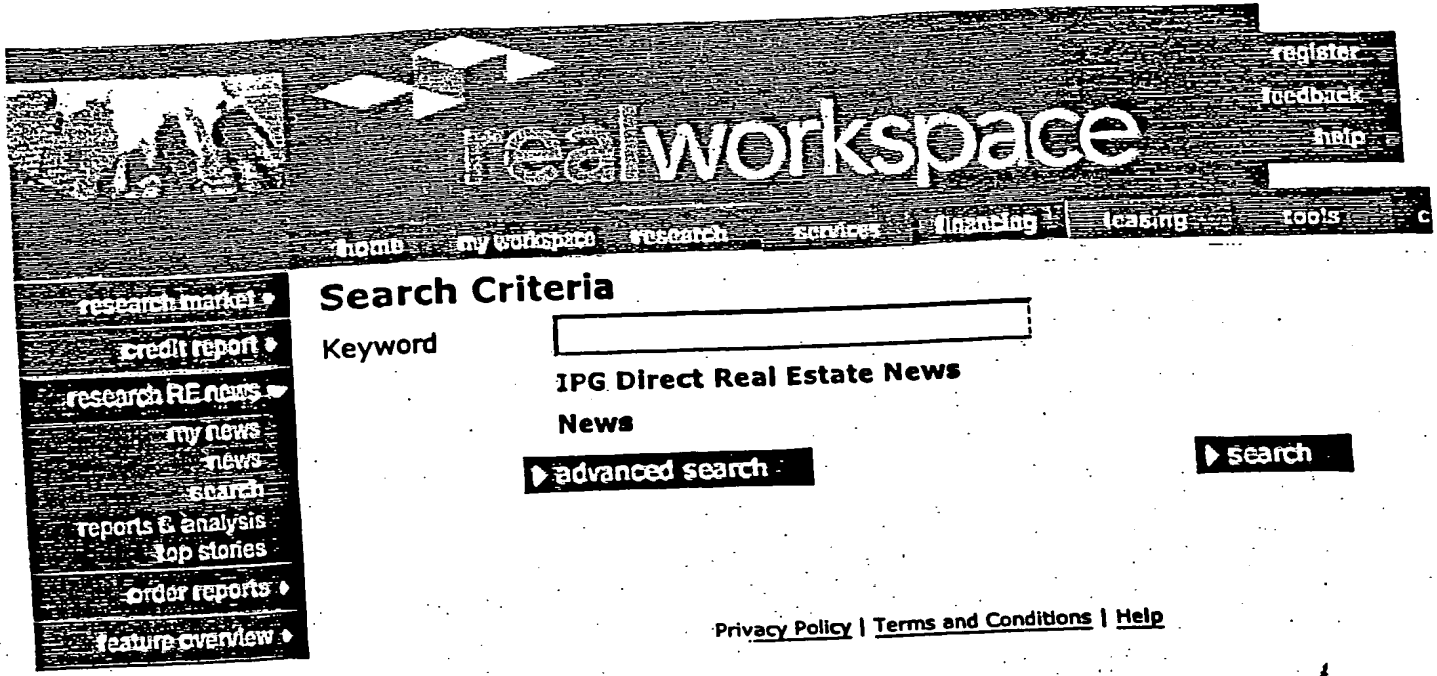
- Idealab IPO May Face Rocky Road
- Napster May Hurt Music-Firm Stocks
- Stocks to Watch: UNM, MRK, EONC..
- OPINION: Gayle Advises Against Junk
- Employment Report: Behind the Numbers

Real Estate Technology

- Firm Seeks Partner to Chase Gold In California..
- Agent Ventures Develops Telecom Hubs In
- Silk, Borzi Jump From Cushman & Wakefield to
- Firm Seeks Partner to Chase Gold In California..
- Agent Ventures Develops Telecom Hubs In

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Fig 4g



realworkspace

home my workspace research services financing leasing tools

- research market
- credit report
- research RE news
 - my news
 - news
 - search
- reports & analysis
- top stories
- order reports
- feature overview

Special Reports & Analysis

List of Categorized Real Estate News Articles

Reis Cast

- [Report 1](#)
- [Report 2](#)
- [Report 3](#)
- [Report 4](#)
- [Report 5](#)

Market Report

- [Report 1 \(\\$\) \(See Sample\)](#)
- [Report 2](#)
- [Report 3](#)
- [Report 4 \(\\$\) \(See Sample\)](#)

Association Newsletters

- [Newsletter 1](#)
- [Newsletter 2 \(\\$\) \(See Sample\)](#)
- [Newsletter 3 \(\\$\) \(See Sample\)](#)

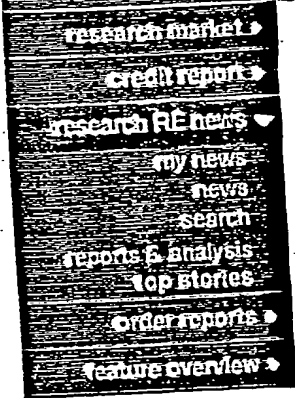
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- Napster May Hurt Music-Firm Stocks
- Stocks to Watch: UNM, MRK, EONC..
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- U.S. Wireless Data Hires Three Key Executives
- Saudi Arabia's Increase In oil output should lead to lower gas prices

- Firm Seeks Partner to In California..
- Agent Ventures Devel Telecom Hubs In
- Silk, Borzi Jump From Wakefield to
- Firm Seeks Partner to In California..
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Fig 4i